

January 17, 2023

VIA ECF

The Honorable Jennifer L. Rochon
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: Lockinger v. International Business Machines Corp., Docket No. 1:22-cv-09888 (S.D.N.Y.)

Dear Judge Rochon:

The parties write jointly to request the following briefing schedule for Defendant's Motion to Dismiss. Defendant intends to move to dismiss the Complaint in its entirety. The parties have conferred and submit the below proposed schedule for Your Honor's approval:

Defendant's Motion to Dismiss: Friday, February 3, 2023, which will extend IBM's deadline to respond to Plaintiff's Complaint from the current deadline of January 23, 2023. This is the second request for an extension to respond to the Complaint. The Court granted the first request on December 8, 2022 (Dkt. 13);

Plaintiff's Opposition to Motion to Dismiss: Monday, March 13, 2023;

Defendant's Reply in Support of Motion to Dismiss: Monday, April 3, 2023.

In the event Plaintiff elects to file an amended complaint in response to Defendant's Motion to Dismiss, Plaintiff will do so by Monday, March 13, 2023.

If this briefing schedule and extension request meets with Your Honor's approval, a "So Ordered" line is provided below for the Court's convenience.

Respectfully submitted,

/s/ Erika D. Cagney

Erika D. Cagney
Counsel for Defendant

/s/ Brian Heller

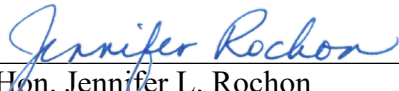
Brian Heller
Counsel for Plaintiff

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cc: All counsel of record (via ECF)

IT IS SO ORDERED.

DATED: January 18, 2023



Hon. Jennifer L. Rochon
United States District Judge